

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 08-0617-2239

ELECTIONS: UNIT N(-1) (*Wells N(-1) & N(-1)A*)  
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 17, 2008 which was recorded at Document 140000338 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on March 11, 2014, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit N(-1);

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

140001389

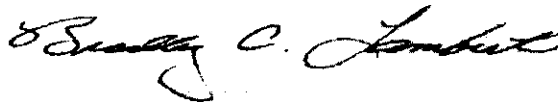
Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

140001389

DONE AND EXECUTED this 24 day of July, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

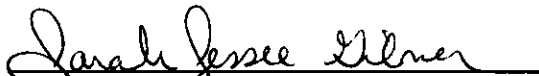
DONE AND PERFORMED this 24 day of July, 2014 by Order of the Virginia Gas and Oil Board.



Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

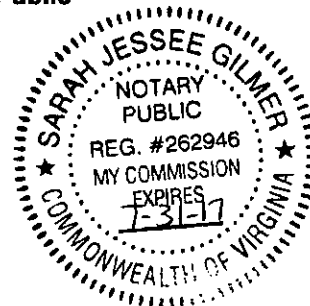
COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 24<sup>th</sup> day of July, 2014, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Sarah Jessee Gilmer, Notary Public  
262946

My Commission expires: July 31, 2017



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit N(-1)  
VGOB 08-0617-2239 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 17, 2008, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on March 11, 2014;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 17, 2008;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

None

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

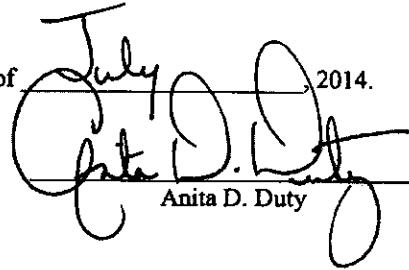
Kilby Boyd, Shelia Miller, Ercil Cook, Robert G. Boyd, Carol Welch, Mark Welch

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 21<sup>st</sup> day of July, 2014.

  
Anita D. Duty

STATE OF WEST VIRGINIA  
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 21<sup>st</sup> day of July, 2014.

  
Notary

My commission expires: April 9, 2023.



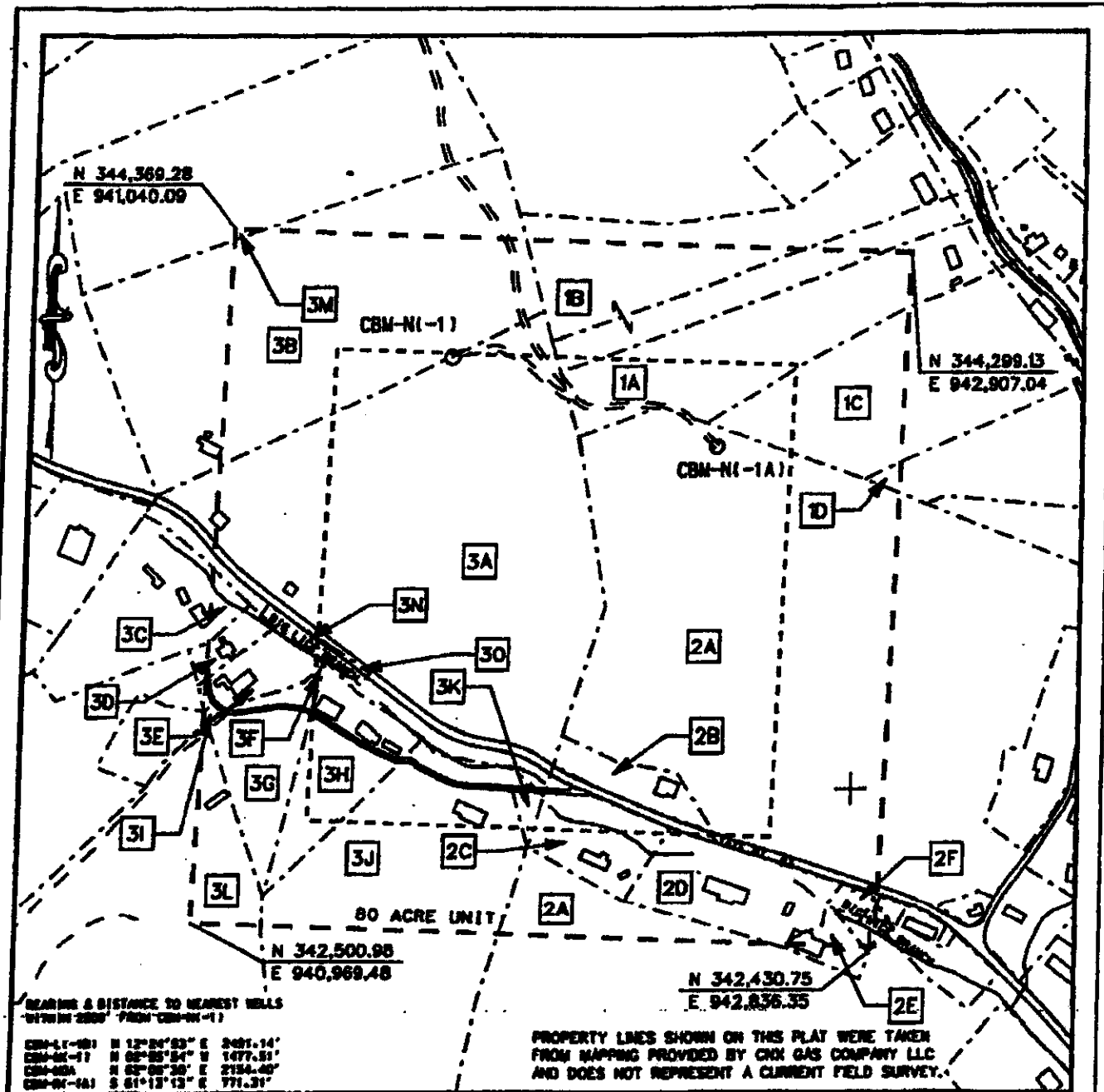


EXHIBIT A  
OAKWOOD FIELD  
UNIT N(-1)  
FORCE POOLING  
VGOB-08-0617-2239

Company CNX Gas Company LLC

Well Name and Number UNIT N(-1)

Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_

Quadrangle Prater

County Buchanan District Prater

Scale: 1" = 400'

Date 5-14-08

This plat is a new plat X ; an updated plat \_\_\_\_\_ or a final plat \_\_\_\_\_

DANNY R. PRICE

Map No. 000540

Form DGO-GO-7  
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

**CNX Gas Company LLC****Unit N -1****Tract Identifications**

1. Josephine Boyd Heirs, et al (F.M.F Boyd Heirs, et al – 86.00 Acre Tract) – Coal (Except % of Widow Kennedy and Above Coal Seams)  
 Rual Fuller/National Energy Corp. (%) of Widow Kennedy and Above Coal Seams  
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam (94.44%) Leased  
 Alpha Land and Reserves, LLC – (%) Coal in Blair Seam and Above Leased  
 Josephine Boyd Heirs, et al (F.M.F Boyd Heirs, et al) – Oil and Gas (97.88% Ownership)  
 CNX Gas Company LLC – Oil and Gas (2.1180% Ownership)  
 CNX Gas Company LLC – (93.5147%) Oil, Gas and CBM Leased  
 11.57 Acres                      14.4625%
  
- 1A. Robert H. Deel - Surface
- 1B. Harold M. Deel, et ux - Surface
- 1C. Leon Stacy, et ux - Surface
- 1D. Franklin R, Stevenson, et ux - Surface
  
2. Consolidation Coal Company (194.84 Acre Tract) – Coal  
 Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased  
 Island Creek Coal Company/Consol Energy – Coal Below Tiller Seam Leased  
 Plum Creek Timber Lands, LLC – Oil, Gas and CBM  
 CNX Gas Company LLC – CBM Leased  
 27.28 Acres                      34.1000%
  
- 2A. CNX Gas Company LLC (50%) / Island Creek Coal Company (50%) – Surface
- 2B. Unknown Surface Owner
- 2C. Unknown Surface Owner
- 2D. Unknown Surface Owner
- 2E. Unknown Surface Owner
- 2F. Unknown Surface Owner
  
3. Bran Investments, LLC, et al (263.47 Acre Tract) – Coal Below Drainage, Oil and Gas  
 Bran Investments, LLC, et al – Coal Above Drainage  
 Island Creek Coal Company/Consol Energy Inc. – Coal Below Tiller Seam Leased  
 Jewell Smokeless Coal Corporation – Coal Above Drainage Leased  
 CNX Gas Company LLC – CBM Leased  
 41.15 Acres                      51.4375%
  
- 3A. Harold M. Deel, et al - Surface
- 3B. Omer Coleman, et ux - Surface
- 3C. Unknown Surface Owner
- 3D. Unknown Surface Owner
- 3E. Unknown Surface Owner
- 3F. Unknown Surface Owner
- 3G. Unknown Surface Owner
- 3H. Unknown Surface Owner
- 3I. Billy Ray Crigger, II, et ux - Surface
- 3J. Grover A. Dales, Jr., et ux - Surface
- 3K. Unknown Surface Owner
- 3L. Jess O'Quinn, et ux – Surface
- 3M. Beecher R. Coleman – Surface
- 3N. Bradley D. Vandyke, et ux - Surface
- 3O. Firefly Properties, L.P. - Surface

Exhibit B-2  
Unit N(-1)  
Docket #VGOB 08-0617-2239  
List of Respondents to be Dismissed/Added

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
<b>I. COAL OWNERSHIP</b>				
<b><u>Tract #1, 11.57 acres</u></b>				
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	11.57 acres	14.4625%		
(1) Marion Boyd Heirs, Devisees, Successors or Assigns				
(a) Letha A. Deel Heirs, Devisees, Successors or Assigns				
(a.1) Kilby Boyd Heirs, Devisees, Successors or Assigns			Deceased	
(b) Clyde Boyd P.O. Box 403 Chinchco, VA 24226	0.0787 acres 1/147 of 11.57 acres	0.0984%		Heir
(1) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
(e) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
(e.3) Shelia Miller 4138 Bloomingdale Rd Kingsport, TN 37660	0.0268 acres 1/432 of 11.57 acres	0.0335%	Leased	
(i) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)			Deceased	
(j.4.1) Mark Cook 685 Green Acres Honaker, VA 24260	0.0134 acres 1/864 of 11.57 acres	0.0167%		Heir
(j.4.1) Ercil Cook, Jr. 401 Chalan Guam Yuus Ct Sinaja, Guam 96929	0.0134 acres 1/864 of 11.57 acres	0.0167%		Heir
(j.4.1) Ursula Cook Address Unknown	0.0134 acres 1/864 of 11.57 acres	0.0167%		Heir
(i) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns				
(i.11) Robert G. Boyd 1082 Ardue and Jane Rd. Vansant, VA 24656	0.0134 acres 1/864 of 11.57 acres	0.0167%	Leased	
<b><u>Tract #3, 41.15 acres</u></b>				
(1) Bran Investments, LLC, et al. (aka Florence E. Walker, et al.) (263.47 Acre Tract)	41.15 acres	51.4375%		
(b) Curtis W. Humphry Heirs, Devisees, Successors or Assigns				
(b.1) Carol C. Welch 134 Little John Road Williamsburg, VA 23185	4.2865 5/48 of 41.15 acres	5.3581%	Leased	
(b.2) Mark Welch 113 Holdsworth Road Williamsburg, VA 23185	4.2865 5/48 of 41.15 acres	5.3581%	Leased	



Exhibit B-2  
Unit N(-1)  
Docket #VGOB 08-0617-2239  
List of Respondents to be Dismissed/Added

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
<b>II. OIL &amp; GAS OWNERSHIP</b>				
<b><u>Tract #1, 11.57 acres</u></b>				
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	11.57 acres	14.4625%		
(1) Marion Boyd Heirs, Devisees, Successors or Assigns				
(a) Letha A. Deol Heirs, Devisees, Successors or Assigns				
(a.1) Kilby Boyd Heirs, Devisees, Successors or Assigns			Deceased	
(b) Clyde Boyd P.O. Box 403 Chinchco, VA 24226	0.0787 acres 1/147 of 11.57 acres	0.0984%		Heir
(1) Marion Randue Boyd Heirs, Devisees, Successors or Assigns				
(e) Ada Neil Stiltner Heirs, Devisees, Successors or Assigns				
(e.3) Shelia Miller 4138 Bloomingdale Rd Kingsport, TN 37660	0.0268 acres 1/432 of 11.57 acres	0.0335%	Leased	
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/286)			Deceased	
(j.4.1) Mark Cook 685 Green Acres Honaker, VA 24260	0.0134 acres 1/864 of 11.57 acres	0.0167%		Heir
(j.4.1) Ercil Cook, Jr. 401 Chalan Guam Yuus Ct Sinaja, Guam 96929	0.0134 acres 1/864 of 11.57 acres	0.0167%		Heir
(j.4.1) Ursula Cook Address Unknown	0.0134 acres 1/864 of 11.57 acres	0.0167%		Heir
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns				
(l.11) Robert G. Boyd 1082 Ardue and Jane Rd. Vansant, VA 24656	0.0134 acres 1/864 of 11.57 acres	0.0167%	Leased	
<b><u>Tract #3, 41.15 acres</u></b>				
(1) Bran Investments, LLC, et al. (aka Florence E. Walker, et al.) (263.47 Acre Tract)	41.15 acres	51.4375%		
(b) Curtis W. Humphry Heirs, Devisees, Successors or Assigns				
(b.1) Carol C. Welch 134 Little John Road Williamsburg, VA 23185	4.2865 5/48 of 41.15 acres	5.3581%	Leased	
(b.2) Mark Welch 113 Holdsworth Road Williamsburg, VA 23185	4.2865 5/48 of 41.15 acres	5.3581%	Leased	

Exhibit B-3  
Unit N(-1)  
Docket #VGOB 08-0617-2239  
List of all Unleased Owners/Claimants

140001389

	Acres in Unit	Percent of Unit
<b>I. COAL OWNERSHIP</b>		
<b><u>Tract #1, 11.57 acres</u></b>		
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	11.57 acres	14.4625%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(a) Letha A. Deel Heirs, Devisees, Successors or Assigns		
(a.1) Kilby Boyd Heirs, Devisees, Successors or Assigns		
(a.1.1) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0787 acres 1/147 of 11.57 acres	0.0984%
(b) Clyde Boyd P.O. Box 403 Chinchco, VA 24226	0.0787 acres 1/147 of 11.57 acres	0.0984%
(1) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 26508	0.0134 acres 1/864 of 11.57 acres	0.0167%
(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.0134 acres 1/864 of 11.57 acres	0.0167%
(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.0134 acres 1/864 of 11.57 acres	0.0167%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656 (interest includes purchases from Leah Mullins & Samuel Marcus Baldwin, II)	0.0312 acres 7/2592 of 11.57 acres	0.0391%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook 1031 Bakersfield Dr. Grundy, VA 24614	0.0402 acres 1/288 of 11.57 acres	0.0502%
(j.4) Ercll Cook Heirs, Devisees, Successors or Assigns (1/288)		
(j.4.1) Mark Cook 685 Green Acres Honaker, VA 24260	0.0134 acres 1/864 of 11.57 acres	0.0167%
(j.4.1) Ercll Cook, Jr. 401 Chalan Guam Yuus Ct Sinaja, Guam 96929	0.0134 acres 1/864 of 11.57 acres	0.0167%
(j.4.1) Ursula Cook Address Unknown	0.0134 acres 1/864 of 11.57 acres	0.0167%

Exhibit B-3  
Unit N(-1)  
Docket #VGOB 08-0617-2239  
List of all Unleased Owners/Claimants

140001389

	Acres in Unit	Percent of Unit
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns		
(l.6) Estil Boyd Heirs, Devisees, Successors or Assigns		
(l.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0134 acres 1/864 of 11.57 acres	0.0167%
(9) Leah Victoria Barton Heirs, Devisees, Successors or Assigns		
(b) Francis M. Barton Heirs, Devisees, Successors or Assigns		
(b.1) Hazel Barton Heirs, Devisees, Successors or Assigns		
(b.1.1) Henry M. Barton P.O. Box 165 Vansant, VA 24656	0.0236 acres 1/490 of 11.57 acres	0.0295%
(d) Marvin Barton 127 Vine Drive Yorktown, VA 23692	0.0236 acres 1/490 of 11.57 acres	0.0295%
<b><u>TOTAL Coal UNLEASED:</u></b>		
	Acreage In Unit Percentage of Unit	0.37 0.4622%

**II. OIL & GAS OWNERSHIP**

**Tract #1, 11.57 acres**

(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (86 Acre Tract)	11.57 acres	14.4625%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(a) Letha A. Deel Heirs, Devisees, Successors or Assigns		
(a.1) Kilby Boyd Heirs, Devisees, Successors or Assigns		
(a.1.1) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0787 acres 1/147 of 11.57 acres	0.0984%
(b) Clyde Boyd P.O. Box 403 Chinchco, VA 24226	0.0787 acres 1/147 of 11.57 acres	0.0984%
(1) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 26508	0.0134 acres 1/864 of 11.57 acres	0.0167%
(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.0134 acres 1/864 of 11.57 acres	0.0167%

Exhibit B-3  
Unit N(-1)  
Docket #VGOB 08-0617-2239  
List of all Unleased Owners/Claimants

140001389

	Acres in Unit	Percent of Unit
(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24661	0.0134 acres 1/864 of 11.57 acres	0.0167%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656 <i>(interest includes purchases from Leah Mullins &amp; Samuel Marcus Baldwin, II)</i>	0.0312 acres 7/2592 of 11.57 acres	0.0391%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook 1031 Bakersfield Dr. Grundy, VA 24614	0.0402 acres 1/288 of 11.57 acres	0.0502%
(j.4) Eril Cook Heirs, Devisees, Successors or Assigns (1/288)		
(j.4.1) Mark Cook 685 Green Acres Honaker, VA 24260	0.0134 acres 1/864 of 11.57 acres	0.0167%
(j.4.1) Eril Cook, Jr. 401 Chalan Guam Yuus Ct Sinaja, Guam 96929	0.0134 acres 1/864 of 11.57 acres	0.0167%
(j.4.1) Ursula Cook <i>Address Unknown</i>	0.0134 acres 1/864 of 11.57 acres	0.0167%
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns		
(l.6) Estli Boyd Heirs, Devisees, Successors or Assigns		
(l.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0134 acres 1/864 of 11.57 acres	0.0167%
(9) Leah Victoria Barton Heirs, Devisees, Successors or Assigns		
(b) Francis M. Barton Heirs, Devisees, Successors or Assigns		
(b.1) Hazel Barton Heirs, Devisees, Successors or Assigns		
(b.1.1) Henry M. Barton P.O. Box 165 Vansant, VA 24656	0.0236 acres 1/490 of 11.57 acres	0.0295%
(d) Marvin Barton 127 Vine Drive Yorktown, VA 23692	0.0236 acres 1/490 of 11.57 acres	0.0295%

**TOTAL O&G UNLEASED:**

Acreage in Unit	0.37
Percentage of Unit	0.4622%

INSTRUMENT #140001389  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
AUGUST 19, 2014 AT 01:25PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB